

US EPA RECORDS CENTER REGION 5



487176

1 IN RE:

2
3 INTERVIEWS OF IWD DRIVERS

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5 * * *

6 Sworn Statement of JOSEPH D. SMART, Witness
7 herein, taken before me, the undersigned, Carol A.
8 Sawyer, a Notary Public in and for the State of Ohio,
9 at the offices of Industrial Waste Disposal,
10 3975 Wagner-Ford Road, Dayton, Ohio, on Monday,
11 March 1, 1993, at 9:30 o'clock a.m.

12 * * *

1 APPEARANCES:

2 On behalf of Industrial Waste Disposal:

3 Waste Management of North America, Inc.

4 By: Robert E. Leininger
5 Attorney at Law
6 Meg Briarton
7 Paralegal
8 Mideast Region
9 17250 Newburgh Road
10 Livonia, Michigan 48152

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1 JOSEPH D. SMART

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state your name and
8 address and age?

9 A. Joseph D. Smart, 5140 Tilbury Avenue,
10 Huber Heights. I'm fifty-two.

11 Q. Okay. I know you've been through this
12 before, but we will do it again. Let's start with
13 your employment history. Can you tell me when you
14 started?

15 A. 1967.

16 Q. And that was with Danis?

17 A. Yes.

18 Q. Okay. You started with Danis in 1967 as a
19 driver?

20 A. Yes, ma'am.

21 Q. Okay. And what -- is that front end,
22 rolloff?

23 A. Front end.

24 Q. Front end, okay. And how long -- well, my
25 notes say as a driver you've done everything, so --

1 A. Right.

2 Q. I was trying to double-check myself.

3 A. Wait. Am I supposed to say all three
4 systems, rollofs, front ends and luggers.

5 Q. Yes, we will go through everything you've
6 done and try to put it in a time perspective.

7 A. Okay.

8 Q. So in '67 you started on a front end
9 loader?

10 A. Uh-hum.

11 Q. How long did you -- how long did you work
12 as a front end driver? I mean, was this a particular
13 route that you had?

14 A. Uh-hum, uh-hum.

15 Q. Okay.

16 A. Oh, God, I probably ran a front end truck
17 for twelve years.

18 Q. For the first twelve years you started?

19 A. Yes.

20 Q. Okay. Do you have any idea of what
21 route? I do have a sheet of routes if that helps. I
22 can't remember if they're current.

23 A. I ran 21, I ran 22, 24.

24 Q. Wait a minute. 21, 22, 24?

25 A. Uh-hum.

1 Q. This was back when you started or is this
2 over --

3 A. Yeah, yeah. I probably ran just about all
4 of them.

5 Q. Okay.

6 A. Except sometimes when I was a relief
7 driver on front end, too.

8 Q. Okay. So in '67 you started as a front
9 end driver, you did that for about twelve years, you
10 ran routes 21, 22, 24, probably some others, in
11 addition to relief?

12 A. Uh-hum.

13 Q. Okay. Now, so that would bring us up to
14 about 1979 approximately, okay?

15 A. Okay.

16 Q. At that point in time what did you do?

17 A. Probably a front end truck with waste, I
18 guess it was waste back then, wasn't it? When did
19 they -- because --

20 Q. The acquisition was in '83, so still with
21 IWD.

22 A. Yeah.

23 Q. So you're still on front end?

24 A. Uh-hum, a little rolloff.

25 Q. Okay. So you continued on --

1 A. Running rolloff and lugger. And then, let
2 me think. I don't think I run much waste, just every
3 now and then a relief with waste.

4 Q. So I believe the acquisition was about in
5 '83. So in the '80's it would have been rolloff and
6 lugger?

7 A. Some Dumpmaster, but mostly rolloff and
8 luggers.

9 Q. So in '80's probably some Dumpmaster?

10 A. Yes.

11 Q. And rolloff and lugger?

12 A. Yes.

13 Q. And not so much front end with waste?

14 A. No.

15 Q. Okay. Does that bring us up pretty much
16 to present day?

17 A. Yes.

18 Q. What is your position now?

19 A. Rolloff.

20 Q. All right. Is that exclusively rolloff,
21 do you do any relief at all, or is that just all?

22 A. Yes. It might be once a year I run a
23 front end truck, somebody calls in sick, but very
24 seldom.

25 (Pause in proceedings.)

1 Q. Okay. Let's start back in '67 when you
2 were front end, I know that. Just for your
3 information, the incinerators opened in 1970's, so the
4 first three years that you were driving front end, and
5 would that be Route 21, around 21, 22, 23 something
6 like that?

7 A. I think my route was 24.

8 Q. Here's a map of Dayton. Does that
9 correspond? If you can kind of show me.

10 A. That (indicating) would be the west side,
11 that (indicating) would be -- that (indicating) would
12 be Salem Avenue. That (indicating) would be north.

13 Q. Make sure you describe it so she can get
14 it down.

15 A. It would be north down -- see, north and
16 west. I guess that's -- that would be down in the
17 Salem Mall, west side. Let me think. It would go to
18 Brookville, that area out through there.

19 Q. This is when you first started driving?

20 A. Uh-hum.

21 Q. So it would be --

22 A. Right.

23 Q. -- the west side of Dayton?

24 A. Yeah.

25 Q. Well, this (indicating) is Valleycrest

1 right here. Would it be kind of south?

2 A. It would surround the area, because of --
3 of the --

4 Q. So west of like 75?

5 A. It would be west yes, 35, you know,
6 towards Eaton, up through there.

7 Q. Okay.

8 A. Not Eaton, but New Lebanon.

9 Q. I have a big map also if you need to see
10 it.

11 A. You know, the routes were so -- it was in
12 like a circle. You might start out like on the west
13 side, keep working, working towards the landfill. You
14 dump there and you start coming back, or you would go
15 back here and start coming backwards toward the
16 landfill, so you would land up there where you would
17 be done and shoot right back to the base.

18 Q. So when you first started out the first
19 three years before the incinerator was open and you
20 were servicing this western side of Dayton, it looks
21 like approximately south of where Valleycrest is, but
22 just north of Kettering, correct?

23 A. Right.

24 Q. Where would you normally take your loads
25 for dumping?

1 A. It would either be the -- that one on
2 South Dixie.

3 Q. Which is that?

4 A. Which one was he in here the last time
5 about?

6 Q. Cardington.

7 A. Or over here.

8 Q. Well, Cardington, I don't think, opened
9 until before 1970. We know Powell Road was opened in
10 the '60's, I think Cardington Road opened about '70
11 about the same time as the incinerators. So if we are
12 talking about the very end of the '60's, I don't know,
13 some of the other fills, you know, Dorothy Lane, I
14 know Hilltop, there's Vance, Grove's.

15 A. I never dumped anything in Vance Road with
16 the Dumpmaster.

17 Q. Okay.

18 A. I'll say eighty percent of the stuff I
19 hauled went to Valley Street during that time.

20 Q. Okay. Valley -- Valley Street to our
21 knowledge was in operation from about '66 to '75.

22 A. Right.

23 Q. So in the first three years, probably in
24 that --

25 A. I dumped Springfield, everything, I

1 brought everything down to there.

2 Q. Everything went to Valleycrest at least
3 for the first three years?

4 A. Yes.

5 Q. Before the incinerators opened and
6 Cardington Road?

7 A. Right.

8 Q. So eighty percent probably went there?

9 A. Right.

10 Q. And the remaining twenty might have gone
11 to?

12 A. Other landfills.

13 Q. All right. Any come to mind or any in
14 particular?

15 A. We dumped in one landfill up in
16 Springfield. I don't remember the name of it.

17 Q. Was that Tremont?

18 A. Yeah, Tremont.

19 Q. Would that have been Tremont at that time?

20 A. No, to be truthful, I think it was the
21 city landfill.

22 Q. City landfill?

23 A. Right.

24 Q. Okay. I realize it's a long time ago.

25 And any others that you can remember?

1 A. No, not that, the front end stuff.

2 Q. All right. So we will just say for our
3 purpose that again for the first three years it was --

4 A. South, right.

5 Q. It's my understanding that Valleycrest,
6 there were two parcels of land --

7 A. Yes.

8 Q. -- separated by the road?

9 A. The road goes between them.

10 Q. There's the older portion and then there
11 was the newer portion?

12 A. Yes.

13 Q. One was the east side of the road and one
14 was the west side?

15 A. Right.

16 Q. At that time would you be dumping in the
17 original parcel?

18 A. Uh-hum.

19 Q. I believe that was in operation for about
20 a five year period?

21 A. Right.

22 Q. So that brings us up to approximately
23 1970, at which time the incinerators opened,
24 Cardington was probably opened, and you were still
25 working -- still front end, still on the same Routes

1 21, 22, 24?

2 A. Right. I think I was mostly a relief
3 driver starting back then, because they had the
4 bumping system back then where they bumped drivers
5 each year.

6 Q. Okay. Was the bidding process in effect
7 then, did you bid for positions?

8 A. Uh-hum.

9 Q. Okay. When you say you were relief,
10 meaning you were still on your front end loader?

11 A. Relief on different routes.

12 Q. Okay. So you didn't have necessarily an
13 assigned route?

14 A. Right.

15 Q. Okay. I would -- did you continue with
16 the front end routes almost up through it appears --
17 the front end, lugger, rolloff through the '80's? I
18 imagine you continued to haul to Cardington,
19 Valleycrest?

20 A. And to Powell.

21 Q. Powell Road possibly --

22 A. Yes.

23 Q. -- throughout that period. And as one
24 continued you probably --

25 A. Continued on over.

1 Q. Such as Valley Road closed in '75,
2 probably about that time most of what you took to
3 Valleycrest might have been dumped then at Cardington?

4 A. Right.

5 Q. With the front end and with the
6 incinerators coming into play, what you might have
7 originally taken to Valleycrest, you then started
8 hauling much of it to the incinerators?

9 A. If it was garbage we went to the
10 incinerator.

11 Q. Okay.

12 A. If it was rolloff, luggers, we went to the
13 landfill.

14 Q. If you were diverted --

15 A. We would go to the landfill.

16 Q. Go to the landfill?

17 A. The nearest one to the stop.

18 Q. Okay. Be it Powell, be it Valleycrest,
19 Cardington?

20 A. Right.

21 Q. Okay. That brings us pretty much up
22 through the '80's, just kind of a general history.
23 All right. I'll try not to -- oh, real quick with
24 paperwork. It's my understanding you had your route
25 sheets that you completed?

1 A. Uh-hum.

2 Q. You may have received tickets at the
3 various landfills --

4 A. Uh-hum.

5 Q. -- for your loads?

6 A. Uh-hum.

7 Q. Your route sheet did not necessarily
8 indicate where you dumped at?

9 A. Right.

10 Q. Just the customers?

11 A. Yes, ma'am.

12 Q. If it was rollon, you were dispatched?

13 A. And that was told then where to take it.

14 Q. Okay. Let me ask you real quick, did you
15 go to some of these other landfills, Springfield,
16 Tremont?

17 A. Uh-hum.

18 Q. Do you recall if you had a particular
19 customer or customer base?

20 A. No.

21 Q. Is it front end?

22 A. Right, that I took into Springfield. Not
23 Tremont now.

24 Q. There are two different ones?

25 A. I think Springfield had a different

1 landfill than Tremont. I think we had a -- then I
2 took stuff into Tremont.

3 Q. Let's start with Springfield. Again,
4 would that have been rollon?

5 A. Uh-hum.

6 Q. It would have been front end as well?

7 A. Yes.

8 Q. It would have been both?

9 A. Yes, ma'am.

10 Q. Would this have been relief driving
11 probably?

12 A. Yes, ma'am.

13 Q. Any particular customers come to mind?

14 A. No, just mostly restaurants and apartment
15 complexes.

16 Q. I'll get into the specific customers.
17 Okay. Now, Tremont, if that's a separate landfill,
18 would that be front end and rolloff?

19 A. We still dump at Tremont.

20 Q. I'm talking about since, you know, when
21 you started back in the late '60's through the '70's.

22 A. Just front end stuff.

23 Q. And again, would that have been relief
24 driving?

25 A. Uh-hum.

1 Q. Any particular customers that you can
2 think of?

3 A. No.

4 Q. Okay.

5 A. No, ma'am.

6 Q. How about Dorothy Lane?

7 A. Is that Cardington?

8 Q. I don't think so. It's right here
9 (indicating). This is Cardington, number five, on
10 this map. I'm showing him a map. And number six
11 would be Dorothy Lane. So they're very close.

12 A. I don't remember.

13 Q. You don't remember?

14 A. No, I don't remember.

15 Q. Okay. How about Black Clawson in
16 Franklin?

17 A. No, ma'am.

18 Q. And Hilltop Concrete?

19 A. Let's see. Hilltop Concrete.

20 Q. That's over --

21 A. I know where that one's at. No, I don't
22 recall it.

23 Q. Okay. Fiori Mills was salvage, that was
24 recyclable?

25 A. Yes. I did dump there.

1 Q. You dumped there or you just hauled things
2 and dumped there?

3 A. Right.

4 Q. Okay. How about Grove's?

5 A. That's old Vance.

6 Q. Oh, is it?

7 A. That's what I want to make of, if we are
8 speaking about the same one.

9 Q. I don't have that on my map. No, I'm not
10 sure.

11 A. That's not it.

12 Q. I'm not sure if it's the same or not, to
13 be honest.

14 A. I'm sure I have, because I'm pretty sure
15 that's the same thing.

16 Q. Grove's and old Vance?

17 A. Yeah.

18 Q. Would that, again, be --

19 A. Construction.

20 Q. -- construction debris?

21 A. Right.

22 Q. Okay. Probably rollon or lugger or
23 something?

24 A. Yes, ma'am.

25 Q. Okay. I probably missed a few, there's

1 tons of them.

2 All right. Let's try to get through some
3 of the customers here. I know there's a lot.

4 THE WITNESS: Off the record.

5 (Thereupon, an off-the-record
6 discussion was had.)

7 Q. Briefly we were speaking off record, and
8 you mentioned your prior experience in the waste
9 industry. Can you tell me a little bit about that
10 pre-1967 before you started with Danis?

11 A. I worked with Container Service --

12 Q. Okay.

13 A. -- for about, I don't know, three and a
14 half years.

15 Q. Okay.

16 A. And they were located off of South Dixie.

17 Q. Okay.

18 A. It would be North Dixie.

19 Q. Okay.

20 A. At the river.

21 Q. Were you a driver?

22 A. Yes.

23 Q. What type of driver?

24 A. Front end.

25 Q. Front end. For the entire period?

1 A. Relief.

2 Q. Okay. And then you --

3 A. I worked for them, and then I went to
4 Chrysler -- I mean, McCalls, the old McCalls.

5 Q. You worked at McCalls?

6 A. Yes, ran for them, for Container Service.
7 That's the landfill I was talking about we hauled ink
8 buckets to.

9 Q. Oh, okay. Because McCalls is a -- has
10 been referenced in Powell Road, but you're not talking
11 about --

12 A. Right.

13 Q. This is another landfill?

14 A. Right.

15 Q. Okay. But you're saying that while you
16 were working for Container Service you were running
17 loads for McCalls?

18 A. Yes.

19 Q. Was it almost exclusively for McCalls?

20 A. Most of the time I stayed at McCalls and
21 ran a rolloff.

22 Q. Now, the three and a half year period,
23 would that have been a year, two years?

24 A. Until I quit and came here.

25 Q. Okay. But you mentioned being on front

1 end doing relief?

2 A. Right.

3 Q. And then working for McCalls?

4 A. Right. I would run rolloff, then if they
5 needed me on front end, then I would run front end.

6 Q. Oh, I see. When you were dumping -- this
7 would have been back in the mid '60's. For Container
8 Services, did you haul anything to Valleycrest, do you
9 recall, because Valleycrest was in operation from '66
10 to '75?

11 A. If it would have been anything that went
12 to Valleycrest, it would have been a front end
13 truck --

14 Q. Okay.

15 A. -- from Container Service.

16 Q. Okay. But Container Service had their own
17 landfill at that time?

18 A. Yes.

19 Q. So they may not have used Valleycrest?

20 A. Right, they would have used their own
21 landfill, unless I would have loaded out in
22 Springfield or Fairborn, then I would just have shot
23 over the hill there.

24 Q. But you don't recall the name of their
25 landfill at this time?

1 A. Sure don't.

2 Q. Did you mention what street it was on?

3 A. It's on East River -- I think it's East
4 River Road. It's right there at the police academy,
5 where the police academy is.

6 Q. I'm from Detroit, I don't know.

7 A. Okay. It's about a quarter of a mile from
8 Vance Road.

9 Q. I'll take your word for it.

10 But it was a Container Service landfill
11 off East River Road near the police academy?

12 A. Right. Up on the hill.

13 Q. On the hill. All right. So then you
14 stayed there, you dumped a lot from McCalls, a lot of
15 ink buckets?

16 A. Magazines.

17 Q. Probably sludges?

18 A. No.

19 Q. No sludges or residue from their printing
20 process?

21 A. Ink buckets.

22 Q. And you stayed -- continued to do that
23 until you came to work for Danis?

24 A. Yes. And that's when I went into the
25 rolloff and DEM's and luggers and relief and washed

1 cars and trucks and swept floors.

2 Q. Okay. Let's crank through these customers
3 so you can get on with your life. I'm sure you'd like
4 to do that and go get some sleep.

5 All right. Again, before when you were in
6 here the focus was on Cardington. We are going to try
7 and -- our big, big focus now is on Valleycrest, but
8 we know there's a lot of overlap, and also we are
9 going to try to focus on Powell Road. You may have
10 hauled everything to everywhere, so we will try to
11 make the distinction as best as we can.

12 All right. Maybe I'll run through some of
13 the names that you discussed in talking about
14 Cardington and see if you took it there before.

15 A. Cardington, now that's the one on South
16 Dixie, is that right?

17 Q. Well, Cardington Road, let's see, on the
18 map here, number five, I've got it right there
19 (indicating), I don't know if it helps to look at the
20 big map or not. And here's Valleycrest (indicating),
21 and Powell is somewhere up here (indicating), okay?

22 A. Okay.

23 Q. And then Dan Connaughton marked the
24 incinerators.

25 A. Right.

1 Q. So if that helps at all.

2 A. Okay.

3 Q. Okay. I'll run through some of these that
4 were mentioned. First of all, did you haul for any of
5 the municipalities when you were doing front end such
6 as there's Dayton, Kettering, Moraine, Miamisburg,
7 Oakwood, Tipp City, West Carrollton, West Milton,
8 Farmersville, any residential when you were doing
9 front end at all?

10 A. Just the restaurants and apartments.

11 Q. Just restaurants and apartments?

12 A. Yes.

13 Q. Okay. We will start with some of the
14 industrial. With GM and Delco, I know you hauled for
15 them.

16 A. Right.

17 Q. You hauled sludge?

18 A. Right.

19 Q. And did any of that go to Valleycrest, do
20 you recall?

21 A. If the incinerators was diverting, I would
22 take Delco over there.

23 Q. Okay. So this would be probably in the
24 '70 to '75 period?

25 A. Right.

1 Q. Okay. Was this general trash, was it -- I
2 know there's some reference to sludge.

3 A. I dumped them all.

4 Q. Everything?

5 A. I've dumped all of them over there.

6 Q. At Valleycrest?

7 A. Yes.

8 Q. Sludge, general trash?

9 A. Right.

10 Q. But this would only be if you were
11 diverted?

12 A. Right.

13 Q. Okay.

14 A. The sludge and stuff would automatically
15 go there, or Valley Street, you know, because you
16 couldn't dump sludge in the incinerator.

17 Q. Okay. And was this a -- do you recall,
18 this was when you were still on relief, was this a
19 regular stop for you, do you recall?

20 A. It wasn't a regular stop. It was just --
21 see, the dispatch was set.

22 Q. If you were dispatched?

23 A. Right.

24 Q. All right. How about Frigidaire?

25 A. The only time we would ever haul for

1 Frigidaire is if one of their trucks was down and they
2 told us where to go.

3 Q. Frigidaire?

4 A. They would give us a pass, and they would
5 either --

6 Q. So you hauled for them if their trucks
7 were down and it was at their direction?

8 A. Right.

9 Q. Generally, do you recall where they
10 directed you to dump at?

11 A. It was always a landfill.

12 Q. Always a landfill?

13 A. Right.

14 Q. In the early '70's, I'm not sure what part
15 of town Frigidaire was located in, would that have
16 been in the northern or southern?

17 A. No, south, it would be down by Dorothy
18 Lane.

19 Q. Okay. Here's Dorothy Lane (indicating).

20 A. Where's Stroop? Here's Stroop
21 (indicating). And Dorothy Lane, where is Dorothy
22 Lane? Right here (indicating). Where's Springboro
23 Pike? It would be down in this area.

24 Q. Okay. So it was on the southern, south
25 side of Dayton or south Dayton?

1 A. Right.

2 Q. Okay. And that's now the GM plant, it's
3 my understanding?

4 A. Right.

5 Q. So you didn't haul Frigidaire -- well, if
6 it was at their direction, it would have gone to one
7 of the southern landfills?

8 A. Right.

9 Q. Do you remember what type of waste they
10 generated?

11 A. Just general trash.

12 Q. All right. How about Monarch Marking?

13 A. Yes.

14 Q. Yes, you hauled them?

15 A. Yes.

16 Q. Would that have gone to Valleycrest?

17 A. Yes, and it would have -- yes.

18 Q. It would have gone to Valleycrest?

19 A. Yes.

20 Q. Was that front end?

21 A. Uh-hum.

22 Q. Front end, okay. And I'm assuming that
23 would have gone to the incinerator unless diverted?

24 A. Right.

25 Q. Okay. And then it might have gone to

1 Valleycrest?

2 A. Right.

3 Q. Do you recall if that ever -- that was
4 going to Powell Road at all, do you think?

5 A. I never took it there.

6 Q. All right, fair enough. Was that again,
7 if you were dispatched, but that was not a regular
8 stop for you necessarily?

9 A. Yes, when I was on a front end truck that
10 was an every day stop.

11 Q. A daily stop?

12 A. Yes.

13 Q. Just once a day, I mean were there any
14 trucks regularly --

15 A. Once a day the front end truck.

16 Q. Okay. And that went to probably the
17 north, south?

18 A. No, the south incinerator.

19 Q. Unless you were diverted?

20 A. Right.

21 Q. Okay. Well, actually it was pretty close
22 to Cardington?

23 A. Right.

24 Q. If Cardington and Valleycrest were both
25 opened in the early '70's, would it have gone to

1 Cardington or Valleycrest?

2 A. It would have went to Cardington.

3 Q. Whichever was geographically the closest?

4 A. Right.

5 Q. Okay. How about Presto Adhesive?

6 A. The name sounds familiar. Again, I'm sure
7 I've hauled it, but I just don't remember where the
8 stop was at.

9 Q. All right. Karolton Paper or Karolton
10 Envelope?

11 A. Right.

12 Q. Yes, you hauled that?

13 A. Right.

14 Q. Incinerator?

15 A. Uh-hum.

16 Q. Unless diverted?

17 A. Right.

18 Q. And in that case it would have gone to?

19 A. The south burner.

20 Q. South incinerator?

21 A. Right.

22 Q. But if it was diverted, it would have gone
23 to?

24 A. It would have went to Cardington Road.

25 Q. Okay. And that to my understanding they

1 generate general trash?

2 A. Yes.

3 Q. And some inks or glues?

4 A. It was glue on the envelopes is what I
5 hauled.

6 Q. Bergstrom Paper?

7 A. Uh-hum.

8 Q. Okay. Help me out here. The quicker we
9 can go through this, the quicker you can get done.
10 What I'm interested in is if you hauled it, and then
11 where you hauled it to.

12 A. Again, that was mostly paper pulp.

13 Q. I see there's some reference to from other
14 drivers --

15 A. Coal dust.

16 Q. -- fly ash, things like that?

17 A. Right.

18 Q. And you did haul that?

19 A. Yes.

20 Q. And that did go to?

21 A. The landfill.

22 Q. Which landfill?

23 A. It would have been --

24 Q. Cardington?

25 A. Right, or Valley Street, either one.

1 Q. All right. Again, you were dispatched, or
2 was this regular for you?

3 A. No, it was dispatched.

4 Q. It's my understanding this was a fairly
5 good size account though?

6 A. Yes, ma'am.

7 Q. Okay. How about Monarch Molders, does
8 that sound familiar?

9 A. No.

10 Q. Okay. How about Wright-Patterson?

11 A. I've hauled construction debris, but it's
12 been recently.

13 Q. Okay.

14 A. In the last four or five years.

15 Q. Not in the '60's or '70's?

16 A. No, ma'am.

17 Q. How about Builders Insulation?

18 A. Again, the name sounds familiar, but I
19 don't remember.

20 Q. Okay. How about NCR?

21 A. Yes.

22 Q. All right. For NCR, did you -- when you
23 were talking with Ray Polley, that was NCR and
24 Standard Register?

25 A. I have, too.

1 Q. Were they running twenty-four hours a
2 day?

3 A. Yes.

4 Q. At that time was that front end for you?

5 A. Front end, yes.

6 Q. Regular stop?

7 A. Yes.

8 Q. Daily?

9 A. Right.

10 Q. Now, he was on -- he ran nights, I
11 believe?

12 A. Ray did, right. So did I sometimes.

13 Q. Sometimes?

14 A. Uh-hum.

15 Q. But for you it was?

16 A. Mostly days for me.

17 Q. Okay. Now, what did you haul for NCR in
18 particular?

19 A. Everything.

20 Q. You know, whether it was parts or trash
21 or --

22 A. It was sludge.

23 Q. Sludge?

24 A. Trash, it was just --

25 Q. Everything?

1 A. Uh-hum. Foundry sand.

2 Q. Okay. We've got some other stuff. Like
3 liquid sludge, chemicals?

4 A. Yes.

5 Q. Dust?

6 A. Yes.

7 Q. Ash?

8 A. Yes.

9 Q. When I was talking in a phone conversation
10 with Ray Davis who used to be the sales manager here
11 at IWD, he indicated to me that NCR used to generate
12 or dispose of if they were barrels, had one-third
13 magnesium and two-thirds water in them and that they
14 would be buried at an area of the landfill?

15 A. Yes.

16 Q. Did you ever haul any barrels such as
17 this?

18 A. Yes.

19 Q. He said they would sometimes be just
20 spontaneous combustion, there would be occasional
21 fires, is that correct?

22 A. Yes.

23 Q. And you did haul those?

24 A. Yes.

25 Q. Did they ever ship barrels that might have

1 contained something else, or do you ever recall being
2 directed to dump these?

3 A. Yes. Across the street from NCR they had
4 their only little hard fill area along the interstate
5 where UD Stadium is at now, that's where we dumped
6 that kind of material.

7 Q. This wasn't actually at Valleycrest
8 though?

9 A. No.

10 Q. So it was NCR property?

11 A. I don't know if it was NCR owned property.

12 Q. But their fill went out?

13 A. Right, where I was told to take it.

14 Q. Did you ever dump these type of barrels at
15 Valleycrest though, do you recall?

16 A. No, I didn't.

17 Q. You didn't?

18 A. No.

19 Q. All right. Did NCR -- did they self-haul
20 at all, or no?

21 A. Did --

22 Q. Did NCR, did they self-haul?

23 A. They used to.

24 Q. They used to?

25 A. Yes.

1 Q. Did they do it simultaneously when IWD
2 hauled for them or do you know?

3 A. I don't know what you mean.

4 Q. I mean, did they haul -- IWD haul at the
5 same time?

6 A. I don't remember them ever hauling, we was
7 always doing it in three shifts. I think we were
8 running three shifts over there.

9 Q. Twenty-four hours a day it was kept
10 running?

11 A. Yes.

12 Q. And you would haul to their fill area and
13 also to --

14 A. Valley Street.

15 Q. -- to Valley Street?

16 A. Yes.

17 Q. It would be a mix of waste?

18 A. Yes.

19 Q. Okay. And this was ongoing for --

20 A. Until we lost it.

21 Q. Do you recall when that was approximately?

22 A. No.

23 Q. Okay. Would that have been through most
24 of the '70's?

25 A. The better part of the '70's. If I just

1 had my paperwork in front of me.

2 Q. I know.

3 A. I really don't remember.

4 Q. Okay. Well, unfortunately I've been
5 through most of the documents, and we just don't have
6 a lot on Valleycrest, so bear with me.

7 Dayton Power & Light?

8 A. Yes.

9 Q. To Valleycrest, to the incinerator?

10 A. Wherever.

11 Q. Anywhere?

12 A. Uh-hum.

13 Q. Okay. What type of waste, poles, wires?

14 A. The poles and stuff would go to hard fill,
15 to a landfill. The trash, the front end stuff would
16 go to the incinerator or wherever.

17 Q. And that could have been Valleycrest as
18 well?

19 A. It could have been.

20 Q. Okay.

21 A. I don't know that.

22 Q. Okay. How about Specialty Paper?

23 A. Yeah.

24 Q. Where did that go?

25 A. We used to take it -- now, this is just

1 here in the last four or five years, we used to take
2 it to the incinerator. I never took nothing from
3 Specialty Paper to Valleycrest or Cardington. I mean,
4 we still have it as a customer, it still goes to the
5 landfill.

6 Q. How about Enterprise Roofing?

7 A. Again, that -- I'm sure I've hauled there.

8 Q. Okay.

9 A. And that was a landfill load, but I just
10 can't -- I think it was over off of -- I think it's in
11 Kettering, and that would have went to Cardington
12 Road, if I'm not mistaken now, on the address.

13 Q. Like I'll say, we will do the best we can
14 with these. I don't expect you to remember
15 everything, I certainly don't.

16 A. I'm pretty sure that was south off over by
17 the state house.

18 Q. Okay.

19 A. I'm pretty sure.

20 Q. And probably roofing materials and things
21 like that?

22 A. Yes.

23 Q. Again, as I'm going through these, as I'm
24 sure you know we are looking for anything that stands
25 out in your mind on waste types, even if it was

1 smelly, even if it was dirty, whatever you can recall,
2 and if you can specifically remember whether it went
3 anywhere. I don't expect you to remember all the
4 details. We will go through as fast as we can.

5 A. NCR on Byers Road.

6 Q. It was on Byers Road?

7 A. Uh-hum.

8 Q. Okay. Let's keep going here. Mendenhall
9 Carpeting?

10 A. Okay.

11 Q. If you don't remember, say you don't
12 remember.

13 A. No, don't remember.

14 Q. Moraine Materials?

15 A. I remember that one. General trash.

16 Q. And where would that have gone?

17 A. At the end -- it would most likely have
18 gone to the incinerator or --

19 Q. Unless diverted?

20 A. -- and then it would have gone to a
21 landfill.

22 Q. That's what I'm trying to find out. You
23 can say it went to the incinerator, if diverted it
24 would have gone to the north or south landfills.

25 A. Let's see, that would have went to south.

1 If not, it would have went north to landfills.

2 Cardington Road. I mean, landfill.

3 Q. Valleycrest?

4 A. Yes.

5 Q. Cardington's down here?

6 A. Okay, I'm upside down.

7 Q. All right. How about BF Goodrich?

8 A. No, I've never brought that down here.

9 Q. Okay, DAP?

10 A. We still have it. That would have went to
11 the landfill.

12 Q. Which one?

13 A. Valley Street.

14 Q. Valley Street?

15 A. Now, what DAP is this?

16 Q. Do they have several locations? I don't
17 know.

18 A. Yes.

19 Q. Again, it would be back in the early
20 '70's.

21 A. So that would have went to Valley Street.

22 Q. Okay.

23 A. If this is -- see, they have got one on
24 Janney Road, they have one in Tipp City.

25 Q. Okay. Well, we know, too, that some of

1 these were paint products, silicone, driveway sealant,
2 powder in fifty pound bags, tubes of caulking, things
3 like that. Is that the type of waste you would have
4 hauled --

5 A. Right.

6 Q. -- to Valleycrest?

7 A. Right.

8 Q. None of that would have gone to the
9 incinerator, do you think, because of the type of
10 material?

11 A. Right.

12 Q. Something probably combustible, flammable?

13 A. Right.

14 Q. Was that a large account at that point in
15 time and would it have been a daily stop?

16 A. Uh-hum.

17 Q. You ran it and other people ran it as
18 well?

19 A. Uh-hum.

20 Q. Was it particularly -- was it a nasty sort
21 of trash with the different sort of substances?

22 A. Right. It was different types.

23 Q. Messy?

24 A. It could have been powder, caulking tubes,
25 empty bags.

1 Q. Okay.

2 A. Half full bags.

3 Q. And that probably went to Valleycrest in
4 the early days?

5 A. If this is the one off of Springfield
6 Street. If it's the one here off of Janney, that
7 would have went there, too. Or the incinerator. But
8 if it's the one in Tipp City, it don't come down here,
9 it goes up there.

10 Q. All right. Well, St. Regis Paper, isn't
11 that in Troy, Miami County?

12 A. Yes.

13 Q. Okay, I'll skip those. Well, Dayton Drum,
14 you know, I was reading through your transcript
15 before, I think that's the same -- that's the same as
16 Lammers Barrel Corporation on Radio Road.

17 A. Right.

18 Q. I remember you mentioned Radio Road, but
19 you couldn't think of the name of the place. So that
20 was Dayton Industrial Road?

21 A. Yes.

22 Q. Okay, how about that one, Valleycrest?

23 A. Uh-hum. That would have went to
24 Valleycrest.

25 Q. Back in the early '70's?

1 A. Uh-hum.

2 Q. Would that again have been -- were they
3 full?

4 A. Empty.

5 Q. They were empty?

6 A. Some were, some weren't.

7 Q. What did they --

8 A. Whatever they used to clean the drums.

9 Q. Oh, they cleaned drums?

10 A. Yes.

11 Q. Okay, was that a frequent -- was that a
12 daily stop?

13 A. Uh-hum.

14 Q. Large loads?

15 A. Uh-hum.

16 Q. Okay. That was rolloff?

17 A. No, luggers.

18 Q. I'm sorry. And how about GH&R Foundry?

19 A. Uh-hum, that would have went to Valley
20 Street.

21 Q. All right. And that was foundry sand?

22 A. Uh-hum.

23 Q. Okay. Large quantity, what size?

24 A. Luggers.

25 Q. Okay.

1 A. Large sums, like ten, twelve loads a day.

2 Q. Okay. You know, because they told me,
3 too, at Valleycrest when they first got the parcel
4 there was a lake, and they kept trying to fill it in
5 with anything that won't float.

6 A. And if it wouldn't float, they would sink
7 it.

8 Q. I was told all sorts of dirt and sand and
9 everything they could put in there they put in there.

10 A. There you go, you're right on target.

11 Q. And so that's where a lot of it came from?

12 A. Uh-hum.

13 Q. All right. Is that all it was was foundry
14 sand for the most part that came out of there?

15 A. That I know of.

16 Q. And that was luggers and that was perhaps
17 ten to twelve loads a day?

18 A. Uh-hum.

19 Q. All right. Was that regular for you or
20 was that again just a dispatch?

21 A. Dispatch.

22 Q. All right. I'll get this all figured up.

23 A. We had a couple of supervisors that ran
24 that, Max Clucas. He was pretty heavy into that.

25 Q. Anything else that might have been -- any

1 other sort of nasty things that might have come out of
2 the foundry?

3 A. Not to my knowledge.

4 Q. All right. Just mostly sand, all right.
5 How about Bimac?

6 A. It sounds like Clucas. He was pretty
7 heavy into that.

8 Q. Anything else that might have been -- any
9 other sort of nasty things that might have come out of
10 the foundry?

11 A. Not to my knowledge.

12 Q. All right. Just mostly sand, all right.
13 How about Bimac?

14 A. It sounds familiar. I'm not sure.

15 Q. How about Duriron, what can you tell me,
16 more sand?

17 A. Yeah, I would -- that and just general
18 trash.

19 Q. Do you recall where that would have been?

20 A. That would have went to Valley Street.

21 Q. To Valley Street?

22 A. Uh-hum.

23 Q. Okay. That was lugger?

24 A. Yes.

25 Q. All right. And after Valleycrest what?

1 A. See, you know, I really don't know what to
2 say, you know, because, you know, there's so much that
3 came out in different systems, that's where they get
4 you, the different ones, there would be front end,
5 rolloff and a lugger.

6 MR. LEININGER: Just remember what you
7 can.

8 MS. BRIARTON: I don't expect you to
9 remember everything, like I said.

10 MR. LEININGER: Absolutely.

11 MS. BRIARTON: We won't interrogate you
12 under a bare lightbulb.

13 THE WITNESS: I want to keep it
14 straight.

15 MR. LEININGER: That's the most
16 important thing. If you're not sure about something,
17 I would rather you said so, because if you're not
18 sure, then chances are somewhat that you could be
19 wrong and not completely correct, so -- and our whole
20 idea is to interview as many folks as we can go back
21 to with the records and stuff like that, but even so,
22 we are not going to have the perfect clear picture,
23 crystal clear.

24 Can we go off the record?

25 (Thereupon, an off-the-record

1 discussion was had.)

2 Q. How about Hewitt Soap?

3 A. That would have went to Valley Street.

4 Q. Okay.

5 A. General trash, soap, you know.

6 Q. Okay.

7 A. On the lugger I didn't haul, nothing on
8 the lugger, you know, I was in there -- I was on the
9 rolloff back then.

10 Q. Okay. Soap wrappings, all that kind of
11 stuff?

12 A. Right.

13 Q. All right. How about Megacity Warehouse?

14 A. I've hauled it. Nothing but general
15 trash. That would have went to Valley Street.

16 Q. Okay. That was front end?

17 A. Yes.

18 Q. Pardon me, I don't know which ones.

19 A. That's okay.

20 Q. Miami Paper?

21 A. That was, let's see, front end truck. If
22 it went, it went to south.

23 Q. South incinerator?

24 A. Uh-hum.

25 Q. Okay. Any chance of it being diverted

1 or -- probably not. Well, it was all paper, so --

2 A. No.

3 Q. How about Ohio Bell?

4 A. Yes.

5 Q. And --

6 A. Front end truck, and general house, paper,
7 wire.

8 Q. Okay. And where would that have gone?

9 A. It would have went south.

10 Q. South incinerator?

11 A. Right. Or north, either one, because we
12 had Ohio Bells scattered everywhere. So it really --

13 Q. Depended on the location?

14 A. Right.

15 Q. Okay, I understand. Philips Industry. I
16 understand that was glass and bulbs.

17 A. That would have went to Valley Street, or
18 the other one over on Springfield Street, Danis
19 landfill over by Wright-Patt.

20 Q. Would that be over here -- there's
21 Patterson Road.

22 A. It would have been Eastwood Lake. What's
23 Eastwood Lake over there, what's that street that runs
24 along the main drag? We dump that at Valley or
25 Danis's old landfill.

1 Q. Okay. Regular?

2 A. Regular trash and glass.

3 Q. Okay. How about Sherwin-Williams?

4 A. I don't --

5 Q. If you don't remember --

6 A. No, we hauled it, but it was right over
7 across the street before it burned down. But I took
8 it to the incinerators, I never hauled it to any of
9 the landfills.

10 Q. All right. Standard Register?

11 A. Yeah, I hauled that one. That would have
12 went to the burner, or if it was diverted, it went to
13 the landfill. That would have went to Valley Street.

14 Q. Okay. Is that -- we have information like
15 carbon paper --

16 A. Black carbon paper and carbon sheets.

17 Q. Okay. If any of these are daily runs, let
18 me know.

19 A. That is.

20 Q. That was a daily run?

21 A. Ohio Bell was a daily run.

22 Q. Okay. You know, several loads a day
23 possibly?

24 A. In the front end trucks, where I did the
25 self-containers.

1 Q. All right. How about Inmont Paper?

2 A. Yes.

3 MR. LEININGER: Off the record for a
4 couple minutes.

5 (Thereupon, an off-the-record
6 discussion was had.)

7 Q. All right. Inmont?

8 A. Right, I don't remember that one.

9 Q. Systech Corporation?

10 A. I don't remember.

11 Q. Okay. Tricil Environmental?

12 A. I don't remember.

13 Q. Premiere Rubber?

14 A. I remember that one. That would have went
15 to Valley Street.

16 Q. Okay. What was the waste?

17 A. Rubber. That's it. Trash, bags, empty
18 bags of trash, office paper.

19 Q. Was that a daily run?

20 A. No, just whenever they called in.

21 Q. It was dispatched?

22 A. Right.

23 Q. How about Color Pac?

24 A. The name sounds familiar, but I don't
25 remember.

1 Q. Cargill?

2 A. Yes, that would have went to --

3 Q. Did it go to the incinerator?

4 A. It goes to the incinerator, but if
5 diverted, we would take it to the landfill, but I
6 don't think we took that over to Valley Street or any
7 of the rest of the landfills around here.

8 Q. Okay. How about Automotive Warehouse?

9 A. That goes to the incinerators.

10 Q. Incinerators?

11 A. Yes.

12 Q. Okay. How about King Iron?

13 A. No. It could have been a different name.

14 Q. King Aluminum?

15 A. Right.

16 Q. All right.

17 A. I've hauled it, but I don't remember that
18 much about it.

19 Q. All right. How about Base Materials?

20 A. I don't remember.

21 Q. US Corrugated?

22 A. I don't remember. Again, it sounds
23 familiar but I don't remember.

24 Q. Gateway Erectors?

25 A. I don't remember.

1 Q. Ryan Homes?

2 A. I remember that.

3 Q. I understand that was construction debris?

4 A. Right.

5 Q. Things like that?

6 A. That just went to any landfill.

7 Q. Depending on wherever they were working?

8 A. Wherever they were working.

9 Q. So some went to Cardington, some went to
10 Powell?

11 A. Right.

12 Q. Okay. How about General Films? Well,
13 General Films and Stolle were in Sidney, as I
14 understand it.

15 A. Right, I don't remember them.

16 Q. Hughes-Bechtol?

17 A. The name sounds familiar, but I don't
18 remember.

19 Q. California Market?

20 A. Yeah, that would have went to Valley
21 Street, because it was right across the street from
22 it.

23 Q. All right. What type of -- just
24 general --

25 A. Garbage.

1 Q. -- garbage?

2 A. Right.

3 Q. Okay. How about DESC?

4 A. Don't remember it.

5 Q. Okay. Elder-Beerman?

6 A. That's garbage that went to the
7 incinerators.

8 Q. The incinerators?

9 A. Uh-hum.

10 Q. Okay. How about Earl Scheib? I know
11 there were various --

12 A. That would have went to the landfill
13 sometimes, and sometimes it would have went wherever
14 we was diverted to.

15 Q. Were they in business back in the early
16 '70's, do you think?

17 A. Don't remember.

18 Q. Okay.

19 A. I'm not sure.

20 Q. Is it Amole?

21 A. No.

22 Q. Systems Research Lab?

23 A. I think it used to be a different name,
24 but I don't remember.

25 Q. Okay. Leland Electrosystems?

- 1 A. Yeah, but I don't remember hauling
2 anything.
- 3 Q. Mazer Corporation?
- 4 A. Yeah, that would have went to -- to either
5 Powell Road or Valley Street.
- 6 Q. Okay. What type of --
- 7 A. Carbon.
- 8 Q. Carbon?
- 9 A. Uh-hum.
- 10 Q. Was this in powder form?
- 11 A. Sometimes, yes.
- 12 Q. Sometimes not?
- 13 A. Right.
- 14 Q. What is it when it's sometimes not?
- 15 A. It would be carbon sheets.
- 16 Q. Oh, okay, just sheets of paper or in a
17 powder form?
- 18 A. Uh-hum.
- 19 Q. Is that mostly what their waste consisted
20 of?
- 21 A. Uh-hum.
- 22 Q. Was this a regular or a daily?
- 23 A. Yeah, it used to be daily.
- 24 Q. Used to be daily?
- 25 A. Yes.

1 Q. Would this probably be back in the -- what
2 did they --

3 A. We still have it, it's right down the
4 street from here.

5 Q. Okay, so it's not that far from
6 Valleycrest?

7 A. No.

8 Q. All right. How about Pantorium Cleaners?

9 A. Okay, that was Salem Avenue, yeah. That
10 would have went to Valley Street or the incinerator,
11 or -- yeah, it would have went to them two.

12 Q. Okay. Was that typical cleaning, any kind
13 or sort of solutions, lint?

14 A. Yes.

15 Q. Sludgy?

16 A. Right.

17 Q. Okay. A small operation?

18 A. Daily.

19 Q. Okay. So either Valleycrest or the
20 incinerators?

21 A. Uh-hum.

22 Q. Okay. University of Dayton?

23 A. Yeah, that would have went to the
24 incinerator or Valleycrest -- I mean --

25 Q. Powell, Cardington?

1 A. Cardington.

2 Q. Okay. Was that general trash, things like
3 that?

4 A. Yes.

5 Q. How about Riggs Sheet Metal?

6 A. I don't remember.

7 Q. Okay.

8 A. We've got it and we hauled it, but it goes
9 to the incinerator.

10 Q. That's now?

11 A. Right.

12 Q. How about Gem City Engineering?

13 A. I don't recall.

14 Q. Okay. Mullins Rubber?

15 A. Uh-hum.

16 Q. And that went to?

17 A. It would have went to Valleycrest or
18 Powell Road.

19 Q. Or Powell. Rubber products, that sort of
20 thing?

21 A. Uh-hum.

22 Q. Was that a regular or a daily?

23 A. It's when they call for the stuff to be
24 picked up.

25 Q. Oh, an on-call?

1 A. Yes.

2 Q. Was it --

3 A. Rubber.

4 Q. But, I mean, was it weekly, a couple times

5 a week?

6 A. A couple times a week.

7 Q. A couple times a week?

8 A. Yes.

9 Q. All right. How about American Modular?

10 A. I don't recall that.

11 Q. Okay. LB Robinson, construction?

12 A. Yes, we haul that. It goes to the

13 landfill.

14 Q. Is this again, depending on where they

15 were working, you could have gone to any of them?

16 A. Yes.

17 Q. Okay. How about Dayton Sure-Grip?

18 A. I never hauled it.

19 Q. Okay. Tait Manufacturing?

20 A. Yeah, but that would have went to a

21 landfill. General trash.

22 Q. General trash?

23 A. Uh-hum. Construction debris.

24 Q. Do you recall what side of town?

25 A. It would have been Valley Street, that

1 area.

2 Q. Okay. Nothing unusual either?

3 A. No. I think they had a lugger in there.

4 Q. Was it daily or just a couple times a
5 week?

6 A. I think it was daily, it was every day.

7 Q. Daily?

8 A. It or it might have been every two days.

9 It was fairly regular, you know.

10 Q. Okay. How about Dyna Corp?

11 A. I don't recall that one.

12 Q. Roberts Consolidated?

13 A. I don't recall that.

14 Q. Bendix?

15 A. Yeah. That was -- I've hauled it, but I
16 don't recall it.

17 Q. Okay. Lewis Painting?

18 A. Do not recall it.

19 Q. Okay. St. Elizabeth's Hospital?

20 A. Uh-hum. That would have went to --

21 Q. The incinerators?

22 A. Right.

23 Q. Rinks Company?

24 A. Yeah, that would have been an incinerator
25 load.

1 Q. Incinerator?

2 A. Right.

3 Q. Were they in the north or south side of
4 town?

5 A. There were two or three of them, one up
6 north, one down south, one over on Salem.

7 Q. This was a department store?

8 A. Yes.

9 Q. So it would depend on where they were
10 located, the closest landfill?

11 A. Yes.

12 Q. Closest landfill?

13 A. Yes.

14 Q. K Mart?

15 A. That's usually --

16 Q. Similar to Rinks?

17 A. Yes.

18 Q. How about Blue Bird Pie?

19 A. To the incinerator.

20 Q. Borden Dairy?

21 A. Same thing.

22 Q. Gayston Corporation?

23 A. I don't recall that one.

24 Q. JC Penney's?

25 A. Same.

1 Q. Similar to the other stores?

2 A. Yes.

3 Q. How about Tru-Foto?

4 A. I think we had a lugger in there.

5 Q. It would have been a lugger?

6 A. Yes. It would have went to the landfill,
7 Valley Street.

8 Q. Valley Street, okay.

9 Did they have more than one location, or
10 is this a big --

11 A. If this is the same Tru-Foto I'm thinking
12 of, it was their main headquarters where they
13 developed.

14 Q. As opposed to the little stations?

15 A. Yes.

16 Q. So again, probably your film and paper and
17 things like that?

18 A. Right.

19 Q. Okay, any sort of solutions that they used
20 in processing?

21 A. Again, I don't know what was in the load.

22 Q. Okay. Ohio Precision Castings?

23 A. Yeah, I've hauled that one. That would
24 have been a landfill load.

25 Q. What side of town is that? Other people

1 mentioned either Valleycrest or Powell.

2 A. Valley Street or Powell Road, that's where
3 that would have went.

4 Q. Okay. I understand they may have been
5 moldings?

6 A. Uh-hum. White powder.

7 Q. A solution?

8 A. It depended on the way it came out of the
9 building. It could have been liquid or it could have
10 been powder.

11 Q. Okay. Was this a daily?

12 A. I think it was, yes.

13 Q. You said this was lugger?

14 A. Uh-hum.

15 Q. Okay. So it could have been -- or
16 probably went to Powell or Valleycrest?

17 A. Right.

18 Q. Okay. How about Dayton Walther?

19 A. Yeah, that was sludges.

20 Q. Sludges?

21 A. Right. That would have went to
22 Cardington.

23 Q. Cardington?

24 A. Or Valley Street.

25 Q. Okay.

1 A. It depends on where they dispatched. If
2 there's one you was told, if you was told, you were
3 told.

4 Q. This was different types of --

5 A. Sludges.

6 Q. -- sludges and grinding materials?

7 A. Grinding materials.

8 Q. Was this a daily?

9 A. Daily stop. Two and three and four loads
10 a day.

11 Q. Was it?

12 A. Yes.

13 Q. Okay. Same type of loads?

14 A. Uh-hum.

15 Q. Okay. Was it particularly offensive or
16 anything, or just sort of sludges?

17 A. Right.

18 Q. How about Economy Rubber Products?

19 A. Don't recall that one.

20 Q. Okay. Cooper Jarett?

21 A. Don't recall it.

22 Q. Vindale Corporation?

23 A. Yes.

24 Q. They made modular homes and things like
25 that?

1 A. Right. We took that to Valley Street.

2 Q. Okay. Someone, I honestly can't remember
3 who, said it was Preble County.

4 A. That was me.

5 Q. Okay. Where is that?

6 A. Preble County?

7 Q. Yes.

8 A. That's up in --

9 Q. Is that outside of the immediate Dayton
10 area?

11 A. Yeah. It's up in -- it's on the other
12 side of -- oh, God. Go ahead and I'll remember it.

13 Q. Okay. I don't have a whole Ohio map.

14 A. It will come to me in a minute.

15 Q. So this is your wood, and wiring and
16 rubber, basically things that would go to the
17 landfill?

18 A. Right.

19 Q. Opti-Gauge.

20 A. Right.

21 Q. They made circuit boards, computer
22 boards.

23 A. Right, I don't recall hauling it.

24 Q. All right. Weitz, Weitz Company?

25 A. I don't recall hauling them.

1 Q. Valentine Matchplate?

2 A. Yeah, I hauled that one. I think that was
3 a lugger.

4 Q. A lugger. And what type of -- do you
5 remember what type of waste?

6 A. No.

7 Q. Do you know what they do?

8 A. No, I don't remember.

9 Q. Okay.

10 A. I don't remember what we hauled out of
11 there.

12 Q. Okay. Meir Brass?

13 A. No.

14 Q. Ohio Sealer?

15 A. I've hauled it, but I don't remember where
16 I took it.

17 Q. Trotwood Corporation, I think it's --

18 A. They make house trailers.

19 Q. Similar to Vindale?

20 A. Right. That would have went to either
21 Valley Street or Preble County.

22 Q. Okay. I understand that was a good -- a
23 pretty good sized account?

24 A. Right.

25 Q. Were these daily, things like Vindale and

1 Trotwood were daily?

2 A. Uh-hum.

3 Q. More than one load a day?

4 A. Right, they would have two rolloff boxes.

5 Q. Okay. How about UPS?

6 A. Front end truck.

7 Q. Okay. Just trash, cardboard?

8 A. Trash, basic trash.

9 Q. And Globe Industries?

10 A. Globe, yes, I've hauled it.

11 Q. Did you haul that daily?

12 A. Uh-hum, when I was on the front end truck.

13 Q. Type of waste?

14 A. General trash.

15 Q. Okay.

16 A. When I hauled it, it went to the
17 incinerator.

18 Q. Okay. Let me run through these real quick
19 with you again. We did find some invoices just, not
20 that you are familiar with them, but just from the
21 north sanitary landfill, and they are dated from like
22 1971 and '72, and they smell like it. I don't know if
23 this means anything to you. They have indicated on
24 these invoices, again this is the one on the Valley
25 Street site, they're called site one, two and three.

1 We know site two was Springfield and site three was
2 Hilltop. Site one we are not sure if it was
3 Valleycrest or Cardington. Again, this is both
4 facilities were in operation then.

5 A. Right, I've never seen any of this.

6 Q. This is probably for billing purposes, but
7 which is actually site one, I'm not sure.

8 Okay. So let me -- what I did was went
9 through and pulled some names, a lot of them are
10 construction companies, they may be Cardington, but
11 I'll go through these with you real quick.

12 Okay, we went through GM Inland, we went
13 through all that.

14 A. Okay.

15 Q. I know Franklin Iron was a salvage
16 company, as was Pennsylvania Iron.

17 A. Right.

18 Q. There was Williams Brothers Roofing.

19 A. I don't recall.

20 Q. Okay. Home Builders & Modernizers?

21 A. I don't recall it.

22 Q. Schriber Sheet Metal?

23 A. Yes, I recall that one.

24 Q. Okay.

25 A. Downtown. That would have went to South

1 Dixie landfill, the Cardington -- I mean -- yeah,
2 Cardington.

3 Q. It's Cardington?

4 A. Right.

5 Q. Waste, metal, roofing?

6 A. Right.

7 Q. Is this a daily?

8 A. Yeah.

9 Q. Probably daily?

10 A. Yeah.

11 Q. Big lugger boxes or something?

12 A. Luggers and front end trucks.

13 Q. Okay. How about Abco Construction?

14 A. I don't recall that one.

15 Q. Children's Medical Center?

16 A. Yeah, that would have went to the
17 incinerator.

18 Q. We've got City of Dayton.

19 Nu-Way Container Systems?

20 A. Don't recall that one.

21 Q. Patterson Iron & Metal, that was again
22 salvage?

23 A. Right.

24 Q. C. Johnson, general contractor?

25 A. No.

1 Q. You don't recall that one?

2 A. No.

3 Q. Frank Messer & Sons?

4 A. Construction.

5 Q. I understand that was a fairly good sized
6 operation, again depending on where they were
7 working.

8 A. Right.

9 Q. Southern Ohio Drywall?

10 A. Didn't haul it.

11 Q. J.H. Knake?

12 A. Don't recall that one.

13 Q. Weimer Corporation?

14 A. Don't recall that one.

15 Q. C&N Industrial Maintenance?

16 A. Don't recall.

17 Q. Village of Riverside?

18 A. No.

19 Q. Okay. American Construction Corporation?

20 A. Don't recall that.

21 Q. All right. Charles Shook?

22 A. I recall them.

23 Q. They're construction again?

24 A. Yes.

25 Q. Big thing?

1 A. Big thing.

2 Q. How about Lawn-A-Mat?

3 A. No.

4 Q. Do you know what that is?

5 A. Lawn-A-Mat?

6 Q. Yes.

7 A. It's either yard work --

8 Q. I wasn't sure if it was a lawn care

9 corporation.

10 A. I don't know.

11 Q. Mad River Township?

12 A. No.

13 Q. Adrian Construction?

14 A. Yes, again.

15 Q. Where they were working?

16 A. Mad River Township. Would that be

17 schools, housing, I mean, apartments, what?

18 Q. I don't know. That's where it was

19 billed. City of Kettering and things like that.

20 A. Okay.

21 Q. We went over Hughes-Bechtol, didn't we?

22 A. Yes.

23 Q. Moraine Construction?

24 A. Don't recall that.

25 Q. Henry Stock & Son?

1 A. I don't remember.

2 Q. ARS Building?

3 A. Don't recall it.

4 Q. Enterprise Roofing?

5 A. I recall it, but I don't remember.

6 Q. Korrekt Plumbing?

7 A. Don't recall.

8 Q. Carey Paving?

9 A. I recall that, but it's a little two yard
10 or four yard front end truck.

11 The trash went to the incinerators.

12 Q. Okay. Anything that was diverted might
13 have gone to --

14 A. To landfill, whichever.

15 Q. Was this the south or the north side of
16 town, do you recall? Ontario Avenue was their billing
17 address.

18 A. I don't remember. I think Carey Paving is
19 not Ontario. That might be the billing.

20 Q. It might have been, yes.

21 A. It would be north.

22 Q. This is the best address I could find.

23 All right. Price Brothers?

24 A. Right.

25 Q. That was?

1 A. That would have went to the incinerator or
2 landfill, which would have been Valley Street.

3 Q. Okay. What type of waste do you recall?

4 A. Concrete, broken up concrete.

5 Q. Were they construction?

6 A. Yeah, they make your drain pipes.

7 Q. All right. So a lot of, again, your
8 building construction type trades?

9 A. Two by fours, paper.

10 Q. Okay. How about Leviton Construction?

11 A. Leviton? Again, they were big, too.

12 Q. Same sort of thing?

13 A. Yes.

14 Q. Would have gone to the landfill?

15 A. Yes.

16 Q. Hillsmith & Company?

17 A. Don't recall that.

18 Q. Creative Construction?

19 A. Don't recall that one.

20 Q. Ray Kline & Son?

21 A. Don't recall that.

22 Q. Muth Brothers?

23 A. I recall that, it was a front end truck.

24 Q. Front end?

25 A. Uh-hum.

1 Q. Were they construction?

2 A. Uh-hum.

3 Q. Again, were they a big operation depending
4 on wherever they were working?

5 A. Uh-hum.

6 Q. Gunn Construction?

7 A. Gummed Products?

8 Q. Gunn, G U N N.

9 A. No, don't recall that.

10 Q. Turner Construction?

11 A. Again, that was a big one.

12 Q. Same thing?

13 A. Uh-hum.

14 Q. They were the ones that worked at DP&L or
15 Mead?

16 A. Right.

17 Q. Fryman & Kuck?

18 A. Big one.

19 Q. Same thing?

20 A. Uh-hum.

21 Q. Is it Lammers, that's the one where we
22 were talking about the barrels, where they were Dayton
23 Industrial Barrel?

24 A. That's the company that changed their name
25 on Radio Road.

1 Q. Yes.

2 A. Okay.

3 Q. Okay. Day-Met, Inc.? They were an
4 insurance company, from what I understand.

5 A. I don't know.

6 Q. H.J. Osterfeld?

7 A. I don't remember.

8 Q. Okay. Strunk Maintenance?

9 A. Shook?

10 Q. No, Strunk.

11 A. No.

12 Q. Okay. M&M Construction?

13 A. No.

14 (Pause in proceedings.)

15 Q. I didn't go through the list with American
16 Lubricants. This is a shorter list, I can whip
17 through this.

18 A. Go.

19 Q. Ready?

20 A. Ready.

21 Q. How about American Lubricants?

22 A. We have hauled it, but I don't recall it.

23 Q. Okay. Angel Manufacturing?

24 A. I've hauled it, but it was general trash.

25 It would have went to the incinerator or the landfill.

1 Q. Okay. Do you recall which side of town?

2 A. It would have went north.

3 Q. North. The northern fills, be it Powell
4 or Valleycrest?

5 A. Right.

6 Q. Okay. I understand they made like labels
7 and emblems, things like that?

8 A. Uh-hum.

9 Q. Nothing else unusual, other than
10 paper-type products?

11 A. Yes.

12 Q. Brainard Industries?

13 A. I remember it, but I don't know.

14 Q. Okay, Borchers?

15 A. It's a car dealer. That would have just
16 been office paper there.

17 Q. Okay. Capitol Cleaners?

18 A. No.

19 Q. Carboline related to Moraine Paint?

20 A. Don't recall it.

21 Q. Okay. Did I ask you about Chrysler,
22 Chrysler Corporation? These are Powell Road
23 customers. We know Chrysler was a big customer at
24 Powell.

25 A. Sure.

1 Q. Is that something that you had hauled?

2 A. Sure, sure, even when I was back with
3 Container Service.

4 Q. Okay. We have a lot of information on
5 Container Service drivers hauling to Powell.

6 A. Right.

7 Q. Can you tell me about -- we know there
8 were all types of waste, but what types of waste?

9 A. From where?

10 Q. From Chrysler to Powell, be it with
11 Container Service or with -- and/or with IWD.

12 A. Just what I seen in trash containers was
13 trash and skids.

14 Q. Okay.

15 A. That's what I hauled.

16 Q. Okay.

17 A. And then when it was Container Service,
18 even -- we hauled that to the landfill out there that
19 I couldn't tell you the name of it.

20 Q. The Container Service landfill?

21 A. Right.

22 Q. On River Road?

23 A. Right.

24 Q. And we know there's all sorts of things,
25 whether it's paper to paint to sludge to everything.

1 A. My job was skids and trash.

2 Q. With Container there was a driver named
3 Bruce, from the records, and he used to haul
4 exclusively for Chrysler. Do you know a Bruce? His
5 last name I don't know.

6 A. Clarence can tell you his last name. I
7 think it's Bruce Mag -- Mag --

8 Q. I believe it begins with an M, right.

9 A. Right. It was Bruce and Tony --

10 Q. Okay.

11 A. Clarence can name them right off.

12 Q. I just thought while you were here I would
13 ask you.

14 All right. Coca-Cola, keeping in mind
15 Powell Road, but have you hauled anywhere else?

16 A. No.

17 Q. Dayton Overhead Door?

18 A. I think that was a division of Danis.

19 Q. Really? I'll have to look at that. I
20 thought it was something else, a division of something
21 else, but I'll have to double-check.

22 A. I think they still own it.

23 Q. We will look into that one.

24 A. All right.

25 Q. Okay. Is it something you hauled for?

1 A. Just general trash.

2 Q. I know they made overhead garage doors,
3 glass and things like that?

4 A. Yes.

5 Q. We went through Dayton Precision. We went
6 through McCalls. Dayton Rim & Wheel?

7 A. I guess that's the Old Dayton Walther
8 building.

9 Q. It's not the same company?

10 A. I think they're a division of them.

11 Q. Oh, a division?

12 A. I think it's the little drop-off side
13 deal.

14 Q. Like a subsidiary, something like that?

15 A. Uh-hum.

16 Q. Okay. Dayton Rust Proofing?

17 A. No, I don't recall that.

18 Q. Did I talk about Dayton Tire and Rubber?

19 A. No.

20 Q. Did you haul them?

21 A. Yes, grease skip and lamp black.

22 Q. What is grease skip, is that something --

23 A. It's just the runoff, the liquids off what
24 they used.

25 Q. You have to understand I work in an

1 office, okay?

2 A. It's just what runs off from what they
3 used to make tires.

4 Q. Kind of like the residue?

5 A. Real slimy, sloppy, you touch a drop of
6 black and it scatters for a mile.

7 Q. I understand like the lamp black, it gets
8 in your pores and it won't come out for anything. I
9 understand it's the same with fire fighters, and they
10 get the soot in their pores, only I understand the
11 lamp black is worse.

12 A. Ten times worse.

13 Q. So pieces of rubber, things like that?

14 A. Yes.

15 Q. For you when you hauled it, was it a
16 regular stop?

17 A. Every day.

18 Q. And I understand they ran a lot of loads?

19 A. Yes.

20 Q. Was it twenty-four hours?

21 A. I think it was two shifts over there.

22 Q. Two shifts?

23 A. Days and evenings, second shift.

24 Q. Was this rollon?

25 A. Rollon and luggers.

- 1 Q. Rollon and luggers, okay.
- 2 A. Yes.
- 3 Q. And at the time you were hauling this went
4 to?
- 5 A. That would have went to Valley Street.
- 6 Q. Okay.
- 7 A. I'm going to stop there and say Valley
8 Street.
- 9 Q. Okay.
- 10 A. Because I don't --
- 11 Q. Okay. Fox Cleaners?
- 12 A. General trash, I picked them up in a front
13 end truck.
- 14 Q. To the incinerator?
- 15 A. Yes.
- 16 (Pause in proceedings.)
- 17 Q. Heath Lumber?
- 18 A. No.
- 19 Q. Holman Plating?
- 20 A. Recall it, but I don't remember where it
21 went.
- 22 Q. Okay. Huffman Manufacturing?
- 23 A. Don't remember it.
- 24 Q. Okay. Monsanto?
- 25 A. Yeah, that would have went to the

1 incinerator or a landfill, the Valley Street -- wait a
2 minute, Monsanto. Yeah, we had that one down there.

3 Q. Do you remember the type of waste?

4 A. General trash there.

5 Q. General trash?

6 A. Yes.

7 Q. Okay. Any powders, drums, things like
8 that?

9 A. No.

10 Q. Mound Laboratories?

11 A. No.

12 Q. Pepsi?

13 A. That would have went to Valley Street.

14 Q. And that was?

15 A. Glass.

16 Q. Glass?

17 A. Uh-hum.

18 Q. That's pretty much it?

19 A. That's it.

20 Q. Was that a regular --

21 A. Stop?

22 Q. Daily?

23 A. Daily.

24 Q. Just a lot of glass?

25 A. Right.

1 Q. Pittsburgh Plate Glass?

2 A. Don't remember.

3 Q. Okay. Portland Cement?

4 A. Yeah, that would have come down to Valley
5 Street.

6 Q. Okay.

7 A. That was in Fairborn.

8 Q. Okay. Concrete, powder?

9 A. Just bags.

10 Q. Okay.

11 A. Trash.

12 Q. Okay. Frequency?

13 A. Every day stop.

14 Q. I'm sorry?

15 A. Daily.

16 Q. Okay. We did that one (indicating) and
17 that one (indicating).

18 Valley Products?

19 A. Don't recall it.

20 Q. Okay. Van Dyne-Crotty?

21 A. We hauled that one. That was lint.

22 Q. Solvent?

23 A. Uh-hum, that would have went to Valley
24 Street.

25 Q. I understand they clean uniforms and have

1 spent fluid.

2 A. Uh-hum.

3 Q. Again was that daily?

4 A. Daily.

5 Q. More than one load a day?

6 A. Containers, they were front end trucks
7 when I dumped them.

8 Q. Okay. Vernay Labs?

9 A. Don't recall that one.

10 MR. LEININGER: Okay. We are done.

11 (Thereupon, the statement concluded at
12 11:15 o'clock a.m.)

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1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Carol A. Sawyer, a Notary Public within and
4 for the State of Ohio, duly commissioned and
5 qualified,

6 DO HEREBY CERTIFY that the above-named
7 JOSEPH D. SMART, was by me first duly sworn to testify
8 the truth, the whole truth and nothing but the truth;
9 that said testimony was reduced to writing by me
10 stenographically in the presence of the witness and
11 thereafter reduced to typewriting.

12 I FURTHER CERTIFY that I am not a relative or
13 Attorney of either party nor in any manner interested
14 in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and seal of office at Dayton, Ohio, on this
17 16th day of March, 1993.

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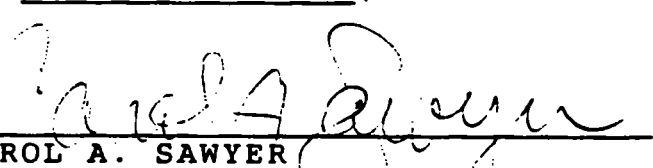
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CAROL A. SAWYER
NOTARY PUBLIC, STATE OF OHIO
My commission expires 10-27-97